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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/510,176  | 03/29/2005  | Manho Yang           | 56816.1540          | 8353             |
| 30734   | 7590        | 12/15/2005           | EXAMINER            |                  |
| BAKER & HOSTETLER LLP<br>WASHINGTON SQUARE, SUITE 1100<br>1050 CONNECTICUT AVE. N.W.<br>WASHINGTON, DC 20036-5304 |             |                      | PAYNE, SHARON E     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2875                |                  |

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/510,176

Applicant(s)

YANG, MANHO

Examiner

Sharon E. Payne

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 3 is objected to because of the following informalities: 1) the phrase "the plurality of grooves" should be "a plurality of grooves" in line 2 of claim 3; and 2) the word "interval" should be "intervals" in the last line of claim 3.

2. Claim 7 is are objected to because of the following informalities: 1) the phrase "the plurality of protruding ribs" should be "a plurality of protruding ribs" in line 2 of claim 7; 2) the phrase "the barrel" should be "a barrel" in line 3 of claim 7; and 3) the phrase "the plurality of recesses" should be "a plurality of recesses" in line 7 of claim 7.

3. Claim 8 is objected to because of the following informalities: 1) the phrase "the plurality of protruding ribs" should be "a plurality of protruding ribs" in line 2 of claim 8; 2) the phrase "the barrel" should be "a barrel" in line 3 of claim 8; 3) the word "side" should not be deleted in line 7 of claim 8; and 4) the phrase "a equal" should be "at equal" in line 7 of claim 8.

4. The claims in general are replete with antecedent basis problems, and these problems need to be corrected; even if a claim is not noted here, it may still have antecedent basis problems. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. Claims 1-26 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See

MPEP § 2172.01. The omitted structural cooperative relationships are the relationships between the tail cover with respect to the housing body and the reflector.

Claims 2-26 are necessarily included due to their dependency.

### ***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Lyhne (U.S. Patent 1,408,528).

Regarding claim 1, Lyhne discloses a tail cover (Fig. 1, bottom), a reflector (reference number 6) and a bulb holder (reference number 13) installed on a housing body (Fig. 1) wherein the reflector and the bulb holder are connected by a plurality of screw threads (Fig. 1, portion by bulb) to adjust the position of a bulb (Fig. 1) and a lock device (reference numbers 14, 15, 16 and 17) between the reflector and the bulb holder (Fig. 1) to fix the relative position of the reflector and bulb holder (page 1, lines 63-73).

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lyhne in view of Voorhees (U.S. Patent 1,751,432).

Regarding claim 14, Lyhne does not disclose screw threads on the reflector barrel. Voorhees discloses the screw threads including inner screw threads formed on the inner wall of the barrel portion of the reflector (only figure in patent, portion by bottom of the reflector curve) and the outer screw threads formed on the outer wall of the bulb holder (Fig. 1, reference number 19) and to be engaged with the inner screw threads (only figure in patent, portion by the base of the reflector).

It would have been obvious to use the configuration of Voorhees in the apparatus of Lyhne to support and guide the bulb more securely. See the only figure of Voorhees.

### ***Allowable Subject Matter***

10. Claims 2-13 and 15-26 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter. The prior art fails to disclose a flashlight having the following features:

1) a plurality of grooves elongated in an axial direction formed on an outer wall of a barrel portion of the reflector at equal intervals, the lock device being a cylindrical part with protruding ribs formed on an inner wall at equal intervals to be engaged with the grooves and with projections formed on an end facing the bulb holder at equal intervals,

and the bulb holder is provided with a flange on an end contacting the housing body and a plurality of recesses for receiving the projections being formed on the flange at equal intervals as recited in claim 2;

2) a plurality of grooves elongated in the axial direction being formed on the outer wall of the barrel portion of the reflector at equal intervals, the lock device is a cylindrical part with protruding ribs form on the inner wall at equal intervals too be engaged with the grooves and with the recesses formed on the end facing the bulb holder at equal intervals, and the bulb holder is provided with a flange on the end contacting the housing body and the flange is provided with a plurality of projections on the side facing the lock device at equal intervals to be engaged with the recesses as recited in claim 3;

3) a plurality of protruding ribs elongated in the axial direction being formed on the outer wall of the barrel portion of the reflector at equal intervals, the lock device being a cylindrical part with grooves forme on the inner wall at equal intervals to be engaged with the protruding ribs and with projections formed on the end facing the bulb holder at equal intervals, the bulb holder being provided with a flange on the end contacting the housing body and a plurality of recesses for receiving the projections are formed on the flange at equal intervals as recited in claim 7;

4) a plurality of protruding ribs elongated in the axial direction are formed on the outer wall of a barrel portion of the reflector at equal intervals, the lock device being a cylindrical part with grooves formed on the inner wall at equal intervals to be engaged with the protruding ribs and with the recesses formed on the end facing the bulb holder at equal intervals, and the bulb holder being provided with a flange on the end

contacting the housing body and the flange is provided with a plurality of projections on the portion facing the lock device at equal intervals to be engaged with the recesses as recited in claim 8.

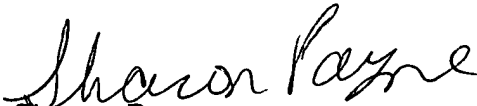
### ***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (571) 272-2379. The examiner can normally be reached on regular business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sep

  
Sharon Payne  
Patent Examiner  
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